

Official Minutes for Webb County Commissioners Court Meeting

Monday, May 24, 2004 at 1:00 PM

(Approved June 21, 2004)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 20th of May 2004. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by Cmr. Gutierrez

- Item No. 4 Approval of minutes

Cmr. Gutierrez motioned to approve minutes as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Ms. Delia Perales, County Treasurer, presented her Monthly Report for April. Cmr. Velasquez requested a memo on the current procedures in place to prevent the duplication of payments. Cmr. Cortez stated that he had been receiving conflicting information from the Auditor's Office and the Treasurer's Office regarding the submittal of duplicate invoices and would like to receive a report from both offices addressing the issue.

Cmr. Gutierrez motioned to accept the Treasurer's Report as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Rafael Perez, Chief Deputy Auditor, submitted his Auditor's Report for April and stated that they are working on addressing the Court's concerns on duplicate invoices. He stated that there was an estimated \$1,164,514 budget shortfall on U.S. Marshall Inmates. Cmr. Vasquez suggested that the court freeze open slots or line items not as punishment against Sheriff Garza but as a precaution due to the projected shortfall.

Cmr. Velasquez motioned to accept the Auditor's Report as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni requested a moment of silence in memory of Mrs. Rosa Ramirez Tait and Mrs. Anita Ligarde Martin. Cmr. Gutierrez also requested a moment of silence in memory of Sam Haber and Jose Maria Guerra.

Item No. 6 Communications

Cmr. Gutierrez urged the community and the court to get involved with legislators now that the legislative session has ended in order to try to minimize budget impacts on county governments.

Cmr. Cortez stated that he has received many calls regarding this year's property appraisals and recommended that the Appraisal District's budget be cut in half for the upcoming year. Cmr. Cortez also requested that the agendas and agenda books be submitted on Wednesday so that the court can have time to touch base with department heads on items and contact the county attorney as well. Mr. Raul Casso, County Judge's Chief of Staff, stated that he understood the court's concerns and has addressed issue previously by circulating a memo to all departments advising them of the deadline to submit agenda items and back-up information. Judge Bruni stated that if no back-up is submitted with the item, it would not be placed on the agenda. Mr. Casso thanked the court for their support and emphasis on agenda deadlines.

Cmr. Velasquez stated that the capping of appraisal values is not in favor in many counties and the Court needs to hear from the taxpayers regarding this item.

Cmr. Gutierrez advised the Court that there is a 10% limit on appraisal raises.

Item No. 7 Public Comment

Public comments would be taken at the same time as the item.

Cmr. Cortez motioned to move up Item No. 56. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 56 Discussion and possible action to award/reject Bid # 2004-50 "Youth Village Land Acquisition."

Judge Alvino "Ben" Morales, County Court at Law No. 1, stated that the Board of Judges was recommending the proposal from Mr. Richard E. Haynes for property located on Hwy 359 for the Youth Village Project. Cmr. Cortez expressed concerns over the fact that not all the judge's were present for the meeting in which the recommendation was made. Judge Morales stated that this was only a recommendation to the Court but that a location needed to be chosen since property values continue to rise. Cmr. Velasquez stated that he would support Mr. Haynes' site valued at \$675,000 but had concerns about paying \$1.5 million. Mr. Eloy Ramirez, Purchasing Agent, stated that the only difference between those two properties is a logistic issue (one closer to the city than the other) but that both are platted and are ready to be built on. Judge Jesus "Chuy" Garza, County Court at Law No. 2, stated that this project has been in the works for 2-3 years and stated that this comes down to economics. He stated that he is aware of the financial restraints on local government agencies and feels that the Juvenile Board of Judges should be able to put in ½ or 1/3 of the JJAEP Fund Balance. Judge Morales stated that the monies are only to be used for the school.

Cmr. Vasquez motioned to award the bid to Mr. Richard E. Haynes' \$675,000 property. Cmr. Velasquez seconded the motion.

Cmr. Gutierrez stated that no monies had been allocated for property acquisition in the belief that county property would be used. She inquired as to whether property located alongside the highway could be submitted instead. Mr. Haynes stated that property alongside the highway is priced and valued higher but that he would be willing to allot the front of property along the highway.

Mr. Orlando Ortiz, Killam Properties, stated that they would be willing to swap land behind the Texas Department of Public Safety on Loop 20 and Clark Boulevard with other county owned land in an effort to allow the county to free up some monies. He stated that they were looking into possibly swapping their land for the land on which the old detention center rests on.

Mr. Homero Ramirez, County Attorney, advised the court that their only option at this point was to accept the bids as submitted or reject them all and start the bid process again.

Mr. Clifford Black stated that he understood the importance of this project and encouraged that the court support this important and necessary program

COURT RECESSED (2:17 pm to 2:37 pm)

Mr. Richard Haynes stated that the property being offered would be the front of Tracts # 6 and # 7.

Cmr. Vasquez motioned to include the offer of the front of Tract #6 and #7 as part of his motion. Cmr. Velasquez seconded the amendment.

Motion carried 4-0 with Judge Bruni abstaining from voting.

Cmr. Gutierrez motioned to move up Item No. 13. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 13 Discussion and possible action to ratify a proclamation declaring May 10-15, 2004, as National Historic Preservation Week.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Margarita Garza and Mr. Dennis Kriewald advised the court and public that 2005 would be a yearlong celebration in observance of the 250th Anniversary of the City of Laredo. They thanked the court for their continued support.

Item No. 8 Status report on Bridge Project and any matters incident thereto

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that he had attended the Bi-National Commission Meeting as well as the Texas Transportation Meeting with TEX DOT where the county received approval from TX DOT to seek ratification of their bridge application from the federal government. He also stated that the city had no authority to bar the county from constructing a bridge as per the state constitution. He stated that it was highly unprecedented for the Mexican government to call a meeting between the city and county governments. Cmr. Gutierrez stated that it was a very important meeting and it was the consensus that the meeting discussions would not be communicated to the media until the end of the month when the responses are due. Mr. Villarreal stated that the difference in debt service that would be paid by the City versus that of the County was significant (\$65 million for construction @ \$6,620 annual payments for City, \$21 million for construction @ \$1,827 annual payments for County). He stated that TX DOT approval is needed to officially send the bridge permit application to Washington. He stated that the city had not yet received TX DOT approval and that as per counsel's interpretation, the bond covenants do not prohibit a joint venture. He stated that if a joint venture was accepted, the presidential permit could be approved within 30 days.

Item No. 9 Status report on upkeep/maintenance of Webb County parking lots with discussion and possible action to order specific maintenance procedures

Mr. Raul Elizondo, Building Maintenance Director, stated that he was aware of the concerns and that general maintenance has been done at the parking lots and that they were swept on Friday. He stated that he went over the entire parking lot and found no major oil slicks but did see a lot of oil stains. He stated that oil stains pose no liability as they are just stains from past years. He stated that the sweeper had been out of service but was recently repaired. Mr. Alberto Martinez, Head of Security, stated that he felt that preventative maintenance was important and understands that proper equipment is not available. Cmr. Vasquez commended the placing of this item on the agenda and has received numerous complaints about bird droppings at the Administration Building and feels that Maintenance Department is overstaffed. Cmr. Cortez also expressed concerns about employees using handicapped and visitor's parking slots. Mr. Martinez stated that procedure must be made so that a plan can be put in effect. Cmr. Gutierrez recommended that at the next budget, proper equipment be purchased so that parking lot can be properly maintained.

Item No. 10 Status report on the Webb County Arrestee Drug Abuse Monitoring (ADAM) Program by Ms. Olga Paez, Director

Ms. Olga Paez, Director of the Illegal Drug Elimination Awareness (IDEA) Program, advise Court that the ADAM Program had been terminated and replaced by the IDEA Program. Mr. Homero Ramirez, County Attorney, advised court that initial proposal was to continue ADAM and that Ms. Paez was contracted as the director. He stated that whether the program was ADAM or not was not at issue. Judge Bruni advised Ms. Paez that the report needed to be submitted in a timely manner. Ms. Paez apologized for not submitting reports on time but advised court that work was being done as per contract. Cmr. Vasquez stated that he had voted against this contract when it came before the court and stated that he hoped that the court would look at this item more closely when it came up for renewal. Ms. Paez invited the court to visit the STEP Academy to see the work that is being done. Cmr. Gutierrez stated that this is a worthwhile program and only concern is the failure to submit reports.

Mr. Clifford Black clarified to the court that he was the only ADAM Director in Webb County and that program was lost in 2003. He stated that it was first under the Sheriff's Department from 1998-2000 then transferred to the Laredo Police Department. He stated that program was formed at request of the federal government. He advised court that he was working with Sheriff-elect on several criminal justice endeavors.

Item No. 11 Discussion and possible action to authorize the purchasing agent to solicit requests for qualifications for the Indigent Health Care Director.

Cmr. Vasquez stated that under the Policies and Procedures of Webb County, any position with a salary of over \$40,000 must be publicized and request for qualifications must be made.

Cmr. Gutierrez motioned to go out for Request for Qualifications for this position. Cmr. Vasquez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that Item No. 11 and Item No. 15 were conflicting items and stated that court can make exception to policy but felt that it would set a bad precedence. He recommended that either the court follow its set policies or bring item at next agenda to abolish policy. Cmr. Vasquez stated that as per Policies & Procedures Section 4.08, an individual can be disqualified if he makes a false statement on his application. He stated that Mr. Salinas had stated that he had an Associates Degree but offered no proof when requested. Cmr. Velasquez stated that he has worked with Mr. Salinas and feels that employees should be rewarded for a job well done. Mr. Ramirez stated that the court's options were to table or defer the items, approve Item No. 11 and request for qualifications or approve Item No. 15, claiming an exemption. Cmr. Cortez stated that policy in questions was only for hiring of employees, not department heads. Cmr. Gutierrez stated that the court should wait until the direction that the program is heading in is decided before hiring a director. Cmr. Velasquez stated that Mr. Salinas has been interim Director for almost 8 months and feels that not hiring him would send the wrong message for employees who wish to move up.

Motion carried 4-1 with Cmr. Cortez voting against.

Item No. 12 Discussion and possible action regarding the status of the payroll audit authorized by Commissioners Court on October 15, 2003 and being carried out by the county's external auditors, Mejia & Company, P.L.L.C.

Mr. Mario Mejia, Mejia & Company, P.L.L.C., stated that they have completed the audit and report should be finalized within two (2) weeks. He stated that the one step pending was the IRS response. He stated that he requested a transcript that takes approximately two months to receive as well as an additional document that should take approximately one month to receive but that no specific date has been set for the receipt of this information. Cmr. Vasquez expressed concerns about the payout in IRS penalties of approximately \$75,000. Mr. Mejia stated that that was not just payroll matters but also several types of penalties assessed from December 1999 to September 30, 2003. He stated that there is no guarantee that any monies will be recovered. Cmr. Velasquez stated that he did not receive the agreed upon procedures for this audit and requested that a copy be submitted to his attention as he had concerns about the duplication of services between this audit and the regular audit performed every year. He expressed concerns about this audits objective seeming to be about internal controls. Cmr. Velasquez requested a separate report dating from January 2, 2003 to September 30, 2003 to see if there are any areas that may need additional attention by the Treasurer's Department. He stated that he

felt that the current auditing system needed to be updated in order to minimize the errors that are resulting in these penalties.

- Item No. 14 Discussion and possible action to authorize the Economic Development Department to seek grant funds for the construction of a building or expansion of an existing building to house the Webb County Indigent Services Department and to identify this potential project as a high priority in 2004.

Cmr. Cortez stated that there is some property located in front of the Road & Bridge Department, which sits approximately ½ block outside the city limits. He stated that the department is currently being housed at the City of Laredo Health Department and is in need of additional space. He stated that he is requesting the move since it is a requirement for most grants that the property be located outside city limits. Mr. Juan Vargas, Economic Development Director, stated that this item is to authorize the identification and seeking of grant monies available. He stated that once they are identified, the Court must authorize the submittal of the application. Cmr. Gutierrez expressed her concerns and disagreement about the accessibility of the public if moved to the proposed location

Cmr. Cortez motioned to approve item to identify and seek grants. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action to appoint Francisco X. Salinas as Webb County Indigent Health Care Director.

- Item No. 16 Discussion and possible action to fill slot # 1526 Deputy Director Indigent Health Care Program effective May 25, 2004.

Cmr. Cortez motioned to withdraw Item No. 15 and No. 16. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action to move the Commissioner's Court Meeting scheduled for June 14, 2004 to June 7 or June 8, 2004.

Cmr. Cortez stated that he would be out of town during the week of June 14, 2004. Cmr. Vasquez stated that he would also be out of town on June 7th through 8th for the Judge's and Commissioners Conference in Houston. Cmr. Gutierrez expressed her concerns about setting a bad precedence by moving meetings if a commissioner will not be present. She stated that the court set the meeting dates for the year as the 2nd and 4th Mondays of every month and that she is sure to not schedule

anything important on those dates. Cmr. Velasquez stated that as long as a quorum is present, the meeting should take place as it did when he missed a meeting.

Cmr. Cortez motioned to move meeting to the 11th of June. Cmr. Velasquez seconded the motion.

Mr. Homero Ramirez, County Attorney, recommended that the motion be worded to not have meeting on 14th and authorize County Judge to set date.

Cmr. Cortez accepted recommendation and made it part of his motion. Cmr. Velasquez amended his second.

Cmr. Gutierrez stated that if this is approved, it must be approved for any meeting in which a Commissioner is unable to attend.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Gutierrez voting against.

- Item No. 18 Discussion and possible action to approve "Category B" Elections, as per the Governing Regulations of the Advisory Board of the Webb County Community Action Agency due to current vacancies (the Advisory Board shall be composed of membership that complies with the Community Social Services Block Grant Policy Issuance # 95-2.2 dated May 17, 1995. The "Category B" shall consist of members who will be elected by the residents in the areas of the County they will represent). Elections will be held in June 2004, for Representatives and Alternates for the areas Mother Cabrini and Buenos Aires. '

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action to approve the submission of the annual budget plan, general order and public notice, for the Community Service Block Grant (CSBG) to the Texas Department of Housing and Community Affairs (TDHCA), for FY 2004, in the amount of \$456,227.00. This includes the "final" allocation/installation of \$228,114 that was received on April 15, 2004.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 20 Discussion and possible action to authorize the following line item transfers:

From:		
001-2503-6403	Vehicle Maintenance	\$ 500.00
001-2503-6402	Equipment Maintenance	\$1,000.00
To:		
001-2503-6202	Uniforms	\$ 500.00
001-2503-6204	Fuel & Lubricants	\$1,000.00

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 21 Discussion and possible action to approve the transfer of one 1998 Lincoln Navigator VIN No. 5LMPU287WLJ5 from the District Attorney's Office to the Webb County Constable Precinct 4.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22 Discussion and possible action to enter into a one year (May 1, 2004 through May 31, 2005) Rural Transportation Federal Fund Grant Agreement (No. 51422F7159) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts a grant amount not to exceed TWENTY-SIX THOUSAND NINE HUNDRED AND NINETY-FIVE DOLLARS (\$26,995.00) for the "El Aguila" Rural Transportation Program and authorizing the Webb County Judge to execute all relevant documents. This grant will be used for preventive maintenance expenditures. [Requested by Webb County CAA, "El Aguila" Rural Transportation Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 23 Discussion and possible action to adopt the following procedures for the FY 2004-2005 Third Party Funding Applications: Adopting the Third Party Application Form; Designating June 21, 2004, as the submission deadline for completed applications; all applications must be submitted to the Chief Financial Officer in triplicate; the Chief Financial Officer is

to determine the completeness of each application within five days of the final submission date and notify the applicant of an incomplete application; any application which has not been completed within seven calendar days of the Chief Financial Officer's notice of "incomplete application" shall be rejected; and any matters incident hereto.

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that the designation should be changed from June 21, 2004 to mid-July 2004. He stated that the procedure for Third Party Funding has changed over time but that he has been referring calls to the County Judge's Office.

Cmr. Cortez amended his motion to include notification of Third Party Funding applications in the Laredo Morning Times and the county website. Cmr. Gutierrez amended her second.

Motion carried 5-0 by unanimous consent.

Item No. 24 Discussion and possible action to enter into a six (6) month lease agreement with Business Solutions of Laredo for a Minolta Di350 Copier for the Larga Vista Community Center at a cost of ONE HUNDRED AND FIFTY-EIGHT DOLLARS (\$158.00) a month and authorizing the Webb County Judge to sign all relevant documents. [Account # 001-6103-6402 Equipment Maintenance]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 25 Discussion and possible action to authorize, by order, the Webb County Commissioners Court oversight concerning all expenditures made by incumbent county and precinct officers who were not renominated to their respective county or precinct office pursuant to section 130.908 of the Texas Local Government Code. [Requested by County Attorney]

Mr. Homero Ramirez, County Attorney, stated that the statute cited states that all Commissioners Courts in the State of Texas must approve any expenditures over the amounts authorized by the Commissioners Court for all incumbents defeated in the primaries. He presented to the Court an order that he prepared and recommended. He stated that this was implemented in 1999 for all counties with a population in

excess of 50,000 but was changed to include all counties at the last legislative session. He stated that if this is not approved, every expenditure must be brought before the court, exclusive of personnel expenditures.

Mr. Rick Flores, Sheriff-elect, advised the court that this was the right thing to do and that it was unfortunate that this statute was not implemented sooner. He stated that the court and its members are the checks and balances of the county and the statute is there to provide checks and balances for the taxpayers. He stated that this would provide some oversight for departments with large budgets. He also requested that the expenditures be itemized and justifiable expenses. He also requested that the court question Item No. 58 and No. 66 and request itemization of expenses before approval.

Mr. Jerry Flores stated that during a previous Commissioners Court meeting Sheriff Garza stated that he had returned a significant amount of money back to the general fund balance. He stated that Item No. 58 requests \$47,800 for radios and is asking that the court request an itemization for those costs and have the vendors certify that the equipment can be supported by the current infrastructure.

Ms. Martha Sanchez had filled out a witness card for this item but was not present.

Comr. Velasquez motioned to approve item with a change from \$500 to \$1,000 on Item No. 2 of the Order. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Comr. Gutierrez motioned to move up Item No. 58 and No. 66. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 58

Discussion and possible action to purchase vehicle accessories for the Sheriff's Department fleet from the following vendors from account # 660-2001-8801 Capital Outlay Series 2003 (Balance \$24,029.00) and account # 168-2001-8801 Capital Outlay Sheriff Forfeiture Fund:

DESCRIPTION:	VENDOR:	PRICE:
Security Shields	Laredo Muffler Shop	\$ 4,835.00
Bumper Guard LGT	GT Distributors	\$ 1,039.50
Power Connection	Mobil Vision	\$ 1,223.80
Decals	Visual Signs	\$ 4,800.00
Radios	HGAC/Motorola	\$47,800.00
Direct Lighting	Lawrence Marshall	\$ 3,869.85
Lights/Sirens	Villarreal Electric	\$ 5,490.72
Power Connection	Motorola	\$ 2,598.50
	GRAND TOTAL:	\$71,657.37

Mr. Rick Flores, Sheriff-elect, requested an itemization of what would be purchased and that the court defer this item until the information is received.

Cmr. Vasquez motioned to defer item until an itemization of purchases is submitted.

Mr. Eloy Ramirez, Purchasing Agent, stated that this would be coming out of the \$350,000 allotted in Capital Outlay for the Sheriff's Department. He stated that the vehicles have already been purchased but cannot be used because they lack law enforcement equipment. He stated that the vehicles will arrive in July/August and the radios were purchased through the Houston Area Council. Mr. Ricardo Acosta stated that the only purchases from forfeiture funds are the decals and radios. Mr. Mario Cavazos, Radio Communications Director, advised the court that the radios that would be purchased are the same being used for Homeland Security and assured them that public safety is the ultimate goal. He stated that the radios are compatible with other agencies and county offices and the City of Laredo had recently purchased 150 mobile units. He stated that the current radio tower is 34 years old and needed to be replaced. Mr. Homero Ramirez, County Attorney, advised the court to limit any discussions on forfeiture funds.

Judge Bruni motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Eloy Ramirez, Purchasing Agent, advised court that the correct balance should be \$71,187.52. Mr. Acosta reiterated that the radios and decals would be purchased with forfeiture funds.

Mr. Homero Ramirez, County Attorney, advised the court that he had Mr. Jim Allison on hold for a teleconference and representatives from the American Cancer Society were at hand for a presentation and requested that Item No. 67 and No. 63 be moved up.

Judge Bruni motioned to move up Item No. 67 and No. 63. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 67 Discussion and possible action related to litigation threatened by the Texas Commission on Jail Standards. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that the court would discuss item with Mr. Jim Allison via teleconference.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (5:36 pm to 5:57 pm)

Judge Bruni reconvened the meeting and stated that absolutely no action was taken while in Executive Session.

Mr. Homero Ramirez, County Attorney, recommended that the court authorize Mr. Allison to retain Mr. William "Billy" Bryan and Mr. Jack Crump as consultants for this matter.

Cmr. Gutierrez motioned to approve above recommendation. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 66 Discussion and possible action to authorize the following line item transfers (General Fund):

From:		
2001-5001	Payroll	\$ 43,000.00
To:		
2001-6001	Office Supplies	\$ 10,000.00
2001-6005	Postage	\$ 5,000.00
2001-6011	Training & Education	\$ 5,000.00
2001-6205	Materials & Supplies	\$ 3,000.00
2001-6402	Equipment Maintenance	\$ 3,000.00
2001-6403	Vehicle Maintenance	\$ 12,000.00
2062-6205	Materials and Supplies	\$ 5,000.00

From:		
2060-5001	Payroll	\$175,000.00
To:		
2060-6001	Office Supplies	\$ 8,000.00
2060-6005	Postage	\$ 10,000.00
2060-6011	Training Education	\$ 10,000.00
2060-6205	Materials & Supplies	\$ 10,000.00
2060-6401	Repair & Maintenance Building	\$ 15,000.00
2060-6402	Equipment Maintenance	\$ 20,000.00
2062-6502	Janitorial Supplies	\$ 12,000.00
2062-6209	Medicines	\$ 30,000.00
2062-6208	Groceries	\$ 60,000.00

Mr. Jorge Flores, County Judge's Chief Financial Officer, advised Court that line items for medicines and groceries would run out and shortage in groceries was anticipated during budget preparation. He stated that other items can be amended to come

from operational funds. Cmr. Gutierrez stated that it was understood that budget amendments would be done at the end of the year due to a known shortage and the remaining line items would be funded from operational funds. Cmr. Velasquez expressed concerns about the practice of "cushioning" of the Sheriff's Payroll budget and allowing them to transfer monies from payroll to other line items. He stated that he did not agree with this practice. Mr. Rick Flores, Sheriff-elect, also expressed concerns about the reasoning for the excessive postage being used and requested at this time. Cmr. Velasquez stated that he always questioned expenditures and will look into every purchase order. He asked that Mr. Flores give the court the benefit of the doubt to be able to take proper action. Mr. Homero Ramirez, County Attorney, advised the court that they could only authorize transfers and not expenditures. He reminded court that monies could not be spent unless the guidelines in Item No. 25 are met. Mr. Flores stated that he also supports the creation of a Human Resource Office and stated that sixteen (16) employees have been hired since the primaries in March and feels that the department is overstaffed in regards to employee to inmate ratio. Mr. Ramirez stated that his only concern was the groceries and medication line items.

Cmr. Gutierrez motioned to approve the transfers to Medicine and Groceries from Fund 2060-5001 in the amount of \$90,000. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 63 Presentation by the American Cancer Society regarding the 2004 "Relay for Life".

Ms. Diana Juarez and Mr. and Mrs. Bobby Magnon were present to address the court on this item. They advised the court that the event would be held from 7:00 pm to 7:00 am, starting on June 5, 2004. Ms. Juarez stated that there were currently 65 teams, with a goal of 70 teams and raising \$90,000. They thanked the court for their continued support of this worthwhile cause.

Cmr. Cortez motioned to move up Item No. 65. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 65 Discussion and possible action to authorize the Road and Bridge Department Fund 010-7002 to fill the following slots:
Equipment Operator, slot # 675 at \$9.72/hr.
Maintenance Aide, slot # 1896 at \$8.29/hr.
Motor Grader Operator, slot # 1743 at \$10.95/hr.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to move up Item No. 52 and No. 53. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 52 Discussion and possible action to award/reject bid for footwear for the Road and Bridge to Gateway Uniform Service, Inc. in the amount of \$7,116.60. [Account # 010-7002-6202 Uniforms]

Item No. 53 Discussion and possible action to purchase six (6) dash mount mobile radio units for the Road and Bridge Department's new vehicles from the Houston Galveston Area Council in the amount of \$11,112.30. [Account # 661-7501-8801 Capital Outlay Road and Bridge Improvements Series 2003]

Cmr. Gutierrez motioned to approve Item No. 52 and No. 53 as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to move up Item No. 35. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion and possible action to authorize the following line item transfers:

From:

001-1120-5001	Payroll	\$15,270.00
009-1120-6022	Professional Services	\$ 3,000.00

To:

001-1120-5005	Temporary Part Time	\$15,270.00
009-1120-6011	Training and Education	\$ 3,000.00

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to move up Item No. 31, No. 32 and No. 45. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to enter into a lease agreement between Webb County and Church of Christ in Christian Union for the

Property situated at 3301 Main, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one (1) year commencing on July 1, 2004 and ending on June 30, 2005, at a monthly rental of ONE THOUSAND ONE HUNDRED AND NINETY FIVE DOLLARS AND ONE CENT (\$1,195.01), and authorizing the County Judge to execute any and all relevant documents. [Head Start Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to terminate a lease agreement between Webb County for the Head Start Program and Lessor Jose Mario Flores for the property located at 1808 E. Commerce Drive, in Laredo, Webb County, Texas, originally executed on June 9, 2003, effective June 30, 2004 because the building is no longer suitable for the Head Start Program's office space needs and authorizing the County Judge to sign any and all relevant documents. [Head Start Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45 Discussion and possible action to approve the Head Start Refunding Application for Fiscal Year 2004-2005 (September 1, 2004 through August 31, 2005) for a Grand Total of \$9,524,850 (Federal Share = \$7,619,880.00 and In-Kind = \$1,904,970).

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion with discussion.

Ms. Aliza Oliveros, Head Start Director, stated that the in-kind match would total almost \$2 million and would include physician and physical therapist services as well as parental involvement.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 29. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to enter into a non-financial cooperative agreement with the South Texas Food Bank for the Webb County Community Action Agency to act as a "pantry" for the distribution of USDA commodities supplied to the Community Action Agency by the South Texas Food Bank and authorizing the Webb County Judge to execute all relevant documents. [Requested by Community Action Agency]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 4-1 with Cmr. Cortez voting against.

Cmr. Cortez motioned to move up Item No. 41 and No. 42. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action to authorize the following line item transfer:

From:

001-0104-6402	Equipment Maintenance	\$200.00
001-0104-6403	Vehicle Maintenance	\$200.00
001-0104-6011	Training & Education	\$300.00

To:

001-0104-6005	Postage	\$400.00
001-0104-6205	Materials & Supplies	\$300.00

- Item No. 42 Discussion and possible action to approve Change Order # 1 to the C. G. Construction contract in the amount of \$10,000.00 for repairs to the El Cenizo Community Center. Funds are to be used out of the contingency account. [Account # 693-6109-8601 Construction in Progress]

Cmr. Gutierrez motioned to approve Item No. 41 and No. 42 as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 51, No. 54 and No. 60. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51 Discussion and possible action to award/reject Proposal No. 2004-05
"Webb County Self-Help Center Service Provider."

Cmr. Gutierrez motioned to award proposal to the Webb County Community Action Agency which was the sole proposal received. Cmr. Velasquez seconded the motion.

Motion carried 4-1 with Cmr. Cortez voting against.

Item No. 54 Discussion and possible action to award/reject Bid # 2004-54 "CAA Self-Help Center Margarita Munoz" and Bid # 2004-55 "CAA Self-Help Center Cecilia Mendiola" Rehabilitation Projects to Noah's Construction Company in the amount of \$33,631.00. [Account # 504-6500-7037-03 Contractual-Housing Rehabilitation]

Cmr. Gutierrez motioned to award proposal as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 60 Discussion and possible action to award/reject bid # 2004-57 CAA Self-Help, Julian Paiz - \$13,650.00 and bid # 2004-58 CAA Self-Help, Isabel Palacios, Jr., \$23,008.00 Rehabilitation Projects to Noah's Construction Company in the total amount of \$36,658.00. [Account # 504-6500-7037-03 Contractual – Housing Rehabilitation]

Cmr. Gutierrez motioned to award proposal as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to move up Item No. 44. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44 Discussion and possible action to authorize the following line item transfer:

From:		
001-0106-6402	Equipment Maintenance	\$2,000.00
To:		
001-0106-6403	Vehicle Maintenance	\$2,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 26, No. 37, No. 38, and No. 39. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action to enter into a contract with Gonzalez Engineering & Surveying, Inc., for engineering design services and construction engineering services for the TX Dot Border Access Colonias Project in the City of El Cenizo, for the design of asphalt street paving, surfacing, resurfacing and storm drainage for the existing paved and unpaved streets (including soil and construction testing) in the amount of \$106,204.00 and authorizing the County Judge to sign all relevant documents. [Account # 671-8001-6023-6 Contract Services – Design Phase Engineering]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action authorizing the County Judge to execute a 12 foot utility easement with AEP/CPL for the 2.4 million gallon per day water treatment plant.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action authorizing Change Order # 1 to Jimmy Closner & Sons Construction Co. contract in the amount of \$7,270.00, increasing the contract to a total of \$1,500,289.80. This will add ten gate valves to the project of the replacement of 2", 4" & 6" water lines with 8" water lines and the installation of fire hydrants in El Cenizo. [Funding from Texas Water Development Board Grants]

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38 Discussion and possible action authorizing Change Order # 1 to Satterfield & Pontikes Construction, Inc., in the amount of \$11,964.80 for permit fees that the City of Rio Bravo overcharged for issuing a permit for the construction of a 2.4 million gallon per day water treatment plant. This action is subject to the Texas Water Development Board's approval. [Account # 648-8006-8801-11 Capital Outlay – Water]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion with discussion.

Cmr. Vasquez advised Court that the City of Rio Bravo was not overcharging the County for the issuance of the permit as per their fee schedule. Mr. Tomas Rodriguez, County Engineer, stated that the fee would be covered by a grant.

Motion carried 5-0 by unanimous consent.

Item No. 39 Discussion and possible action authorizing Change Order # 1 to Ramos Industries, Inc., decreasing the contract of \$4,399,326.00 by \$64,892.41 for a total of \$4,334,433.59. This project is an expansion of 850,000 gallons per day to the existing 650,000 gallons per day waste water treatment plant which will give it a capacity of 1,500,000 gallons per day. This action is subject to the Texas Water Development Board's approval.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 40. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 40 Discussion and possible action to authorize the following line item transfer:

From:		
001-1100-6022	Professional Services	\$4,000.00
To:		
001-1100-5601	Administrative Travel	\$4,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 48. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48 Discussion and possible action to approve the following line item transfers:

From:		
001-0500-6011	Training and Education	\$3,000.00
001-0500-6205	Materials & Supplies	\$2,025.00
To:		
001-0500-6402	Equipment Maintenance	\$5,000.00
001-0500-6005	Postage	\$ 25.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 55, No. 57 and No. 61. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 55 Discussion and possible action to purchase four (4) digital copiers in the amount of \$17,060.00 (\$4,265.00 each) for the Rio Bravo, El Cenizo, Larga Vista, and Mirando City Community Centers from Unitech Business Solutions. [Account # 682-8108-8801 Capital Outlay Series 2001 (Balance \$7,817.70) and Account # 696-8007-8801 Capital Outlay Series 2002 (Balance \$20,537.03)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 57 Discussion and possible action to purchase the following equipment from account # 660-0600-8801 Capital Outlay Series 2003

DESCRIPTION:	VENDOR:	PRICE:
(1) F-320 Facsimile	Muratec America Inc.	\$ 1,561.00
(1) Risograph RP 2530	Riso Inc.	\$ 7,477.00
(1) Laser Printer	Larry Norton Inc.	\$ 392.00
(2) Computers	Larry Norton	\$ 2,883.00
(1) Pallet Jack	Grainger	\$ 405.00

(1) Supply Cart	Grainger	\$ 260.00
(1) Narrow Rolling Ladder	Grainger	\$ 370.00
		GRAND TOTAL: \$13,348.00

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 61 Discussion and possible action to purchase equipment to be used by the DEA Task Force Investigators connected to the District Attorney's Office from G. T. Distributors in the amount of \$6,065.56. [Account # 169-1100-6224 Minor Apparatus & Tools]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 64. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 64 Discussion and possible action to authorize the following line item transfer:

From:		
817-0105-6022	Professional Services	\$15,000.00
To:		
817-0105-6702	Safety Education Program	\$15,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Ms. Amy Palacios, Interim Risk Manager, advised court that the monies would be used to purchase incentives for employees who take part in the safety and health fairs. She stated that 250 goody bags are made for each fair.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 46, No. 47, No. 49 and No. 50. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 46 Discussion and possible action to authorize the following line item transfer:

From:		
001-1043-6205	Materials & Supplies	\$1,000.00
To:		
001-1043-6403	Vehicle Maintenance	\$1,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 47 Discussion and possible action to authorize the following line item transfer:

From:		
001-1044-6205	Materials & Supplies	\$300.00
To:		
001-1044-6402	Equipment Maintenance	\$300.00

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 49 Discussion and possible action to issue "Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029 (i):

1. Tract 35, Ranchitos Los Fresnos Subdivision (electricity – one dwelling only);
2. Lot 2, Block 15, Pueblo Nuevo Subdivision (electricity – one dwelling only)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50 Discussion and possible action to authorize the following line item transfer:

From:		
001-1102-5602	Local Mileage	\$700.00
001-1102-6950	Investigation Expenditures	\$100.00
To:		
001-1102-6402	Equipment Maintenance	\$800.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 30 and No. 34. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 30 Discussion and possible action to enter into Memorandums of Understanding between Webb County and six (6) different agencies:

American Red Cross
Laredo Regional Food Bank
Community Action Agency
South Texas Development Council
Webb County Sheriff's Department
Webb County Economic Development Department

for the Webb County AmeriCORPS*VISTA Project defining the responsibilities of each Agency and the Project station with respect to the assignment of various AmeriCORPS*VISTA Members within each sponsoring agency and authorizing the County Judge to sign all relevant documents. [Requested by Economic Development]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34 Discussion and possible action to accept 11 rights of way, out of Pueblo Nuevo Subdivision, 5 out of Los Ranchitos 359 East Subdivision, and one (1) out of Laredo Ranchettes, Inc. Subdivision and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Margie Ramirez Ibarra, County Clerk, addressed the Court on Item No. 69 and stated that the Archival fee was raised from \$1.00 to \$5.00 per document filed and contract was needed to begin working on historical books that are falling apart or fading away with time.

Cmr. Gutierrez motioned to move into Executive Session for Item No. 68 and No. 69. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (7:02 pm to 7:18 pm)

Judge Bruni reconvened the meeting and stated that absolutely no action was taken while in Executive Session.

- Item No. 68 Discussion and possible action related to Cause Number CVQ000450-D2, *Martha Escamilla & Maria Gloria Gonzales v. The City of Laredo*, In the 111th Judicial District Court of Webb County, Texas. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that this was a status report and recommended that the court authorize county intervention and requested authorization to have him intervene on behalf of the county.

Cmr. Gutierrez motioned to accept Mr. Ramirez's recommendation. Cmr. Vasquez seconded the motion.

Motion carried 4-1 with Cmr. Cortez voting against.

- Item No. 69 Discussion and possible action to approve contract with Landata Technologies as per proposal submitted for "Restoration and Preservation of Webb County Clerk Records." [Fund 05 County Clerk Archive Fund and Fund 09 Webb County Clerk Records Management and Preservation Fund] [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, requested that the court allow Mr. Carlos Villarreal, Commissioners Court Executive Administrator, Mr. Raul Casso, County Judge's Chief of Staff, Ms. Margie Ramirez Ibarra, County Clerk and himself to continue negotiations.

Cmr. Cortez motioned to approve Mr. Bratton's request and advised then to bring item back at the next meeting.

Motion carried 5-0 by unanimous consent.

- Item No. 70 Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

NO ACTION TAKEN ON THESE ITEMS DURING MEETING

- Item No. 27 Discussion and possible action to accept Webb County's share of distribution proceeds (21.5021%) from tax resale of the following real estate property: Lots 4 and 5, Block 1299, Eastern Division, Laredo, Webb County, Texas. The property is being bought by the City of Laredo for its Tinaja Creek Improvement Project. [Requested by Webb County Attorney]
- Item No. 28 Discussion and possible action to accept Webb County's share of distribution proceeds (22.04%) from tax resale of the following real estate property: Lots 7 and 8, Block 1299, Eastern Division, Laredo, Webb County, Texas. The property is being bought by the City of Laredo for its Tinaja Creek Improvement Project. [Requested by Webb County Attorney]
- Item No. 33 Discussion and possible action to enter into an Interlocal Cooperation Agreement with Laredo Independent School District to provide and to manage a School Resource Officer Program in L.I.S.D. under the COPS in Schools Program from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), for a duration of not less than four consecutive years (September 1, 2002 to August 31, 2006). L.I.S.D. agrees to pay Webb County a total of ONE HUNDRED AND FORTY-NINE THOUSAND ONE HUNDRED AND FIFTY-SIX DOLLARS (\$149,156.00) under the COPS-SRO Grant program and authorizing the County Judge to sign all relevant documents.
- Item No. 43 Discussion and possible action to approve the submission of a grant application to the Texas Association of Regional Councils for a Citizen Corps Grant to provide training, equipment, and administrative support for the sustainability of Community Emergency Response Teams (C.E.R.T.) in the amount of \$15,000 and designating the Honorable Louis H. Bruni as the authorized official. This grant is at no cost to the County.
- Item No. 59 Discussion and possible action to solicit bids for annual contracts for Plumbing Supplies and Janitorial Supplies.
- Item No. 62 Discussion and possible action to participate in the Texas Building and Procurement Commission Federal Surplus Property Program (TBPCFSP) and authorizing the Webb County Judge to execute all relevant documents.